IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 596 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE KSHITIJ R.VYAS

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1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

URBAN DEVELOPMENT AUTHORITIES'EMPLOYEES' UNION

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 596 of 1987

MR YN OZA for Petitioner No. 1

MR RM CHAUHAN, ld.AGP for respondent-State

M/S MG DOSHIT & CO for Respondent No. 3-5

MR AM MEHTA for Respondent No. 6

MR HS MUNSHAW for Respondent No. 7

CORAM : MR.JUSTICE KSHITIJ R.VYAS

Date of decision: 21/06/2002

ORAL JUDGEMENT

The petitioner-Urban Development Authorities

Employees Union has filed the present petition seeking various reliefs. The main grievance of the petitioner Union is that the respondents have failed to bring the rules and regulations governing the service conditions of the employees. On 7.4.1987 the Division of this Court by way of interim order directed respondents not to fill up vacancy on deputation until further orders.

2. It appears that the authorities under the Gujarat Town Planning and Urban Development Act, have filed several Civil Applications in the present petition for vacating the interim relief against filling up of vacancies on deputation. The Division Bench of this Court vide order dated 23rd March 1988 vacated the interim relief against filling up of vacancies on deputation basis on condition that the aforesaid authorities will grant promotions as stated in the said order on the promotees filing an undertaking as stated in the said order. It was further directed that the posts which are filled in by deputation shall be filled in for a period of six months initially and in the meantime, the State Government will finalise the Recruitment Rules for the posts in question. It was also observed that sufficient time has elapsed for the finalisation of the Recruitment Rules and, therefore, no further extension shall be granted.

The State Government has passed Resolution No.DA-2587-2204-V(A) dated 30th Sept.1988 in exercise of the powers conferred by sub-section (11) of Section 5 read with sub-section (5) of Section 22 of the Gujarat Town Planning and Urban Development Act, 1976 (President's Act No.27 of 1976) and in supersession of the Government Resolution No.UDA-1486-1010-V(A) dated 8th January 1987 whereby made regulations for the terms and conditions of service of the officers and employees of the Area/Urban Development Authorities. The service conditions of the members of the petitioner Association are governed as per the said regulations which is not disputed. In this view of the matter, the grievance of the petitioner is sufficiently met with and nothing further is required to be done in the matter. The petition is accordingly disposed of. Rule is discharged. Interim relief shall stand vacated. There shall be no order as to costs.

(Kshitij R. Vyas, J.)

Sreeram.